

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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TERRANCE E. WILLIAMS,

Case No. 3:22-cv-00298-MMD-CSD

Petitioner,

ORDER

v.

NEVADA DEPARTMENT OF
CORRECTIONS, *et al.*,

Respondents.

This habeas matter is before the Court on *pro se* Petitioner Terrance Williams's failure to comply with the Court's Order (ECF No. 4).

Petitioner initiated this case by submitting a Petition for Writ of Habeas Corpus (ECF No. 1-1 (“Petition”)) on June 30, 2022, but he did not pay the five-dollar (\$5.00) habeas filing fee or file an application to proceed *in forma pauperis* (“IFP”) for incarcerated litigants. See 28 U.S.C. § 1915(a); LSR 1-1, LSR 1-2. On July 5, 2022, the Court ordered Williams to either pay the \$5 filing fee or submit a complete IFP application with all required attachments within 45 days. (ECF No. 4.) The Court warned Williams that a failure to comply by (a) submitting a complete IFP application, or (b) paying the filing fee would result in the dismissal of this action without prejudice and without further advance notice. (*Id.* at 2.) The 45-day deadline expired on August 19, 2022. To date, Petitioner has not filed a completed IFP application, paid the \$5 filing fee, or requested an extension of time.

It is therefore ordered that this action is dismissed without prejudice based on Petitioner Terrance Williams's failure to comply with the Court's Order (ECF No. 4) or the Local Rules of Practice.

1 Williams is denied a certificate of appealability, as jurists of reason would not find
2 dismissal of the Petition for the reasons stated herein to be debatable or wrong.

3 The Clerk of Court is instructed to add Nevada Attorney General Aaron D. Ford as
4 counsel for Respondents. No response is required from Respondents other than to
5 respond to any orders of a reviewing court.

6 Pursuant to Rule 4 of the Rules Governing Section 2254 Cases, the Clerk of Court
7 will file the Petition (ECF No. 1-1) and informally serve the Nevada Attorney General with
8 the Petition (ECF No. 1-1), this order, and all other filings in this matter by sending a notice
9 of electronic filing to the Nevada Attorney General's office.

10 The Clerk of Court is further directed to enter final judgment accordingly,
11 dismissing this action without prejudice, and close this case.

12 DATED THIS 24th day of August 2022.

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16 MIRANDA M. DU
17 CHIEF UNITED STATES DISTRICT JUDGE
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